

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

339U0509

CONFERENCE COMMITTEE ENGROSSED NO. **SB 151** - 03/05/2013

Introduced by: Senators Vehle, Frerichs, Krebs, Lucas, Monroe, Van Gerpen, and White and
Representatives Verchio, Bartling, Feickert, Hickey, Peterson, Rounds,
Rozum, and Tulson

1 FOR AN ACT ENTITLED, An Act to clarify the maintenance responsibilities on unimproved
2 section lines.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 31-13-1 be amended to read as follows:

5 31-13-1. The board of township supervisors shall construct, repair, and maintain all of the
6 township roads within the township except for section lines designated as no maintenance
7 section lines pursuant to section 2 of this Act. The township road system consists of section line
8 roads; judicially declared roads; roads impliedly accepted by the township through routine
9 performance of certain maintenance activities, such as grading, graveling and snow removal,
10 and accepting funds from the county pursuant to §§ 32-11-4.1, 32-11-6, and 32-22-35 for a
11 period of at least fifteen years; and any other roads designated by resolution of the board as
12 being on the township road system. A road may only be vacated through the process specified
13 in chapter 31-3. Before a road may be added to the township road system, ~~it~~ the road shall meet
14 the minimum requirements specified in §§ 31-18-2 and 31-13-4, unless the board, by resolution,



1 waives this requirement.

2 Section 2. That chapter 31-13 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 The board of township supervisors may designate an unimproved section line not maintained
5 for vehicle travel as a no maintenance section line. The board shall identify the beginning and
6 end point of the section line designated as no maintenance. The board does not have any
7 responsibility on a no maintenance section line except to require removal or remediation of a
8 manmade obstruction, if needed, to maintain the public access.

9 Section 3. That chapter 31-13 be amended by adding thereto a NEW SECTION to read as
10 follows:

11 The board of township supervisors shall post signs on a no maintenance section line to
12 notify the motoring public that it is a no maintenance section line and that the public travels on
13 the section line at its own risk. The signs shall be posted at each entry point and at regular
14 intervals along a no maintenance section line. A properly posted sign is prima facie evidence
15 that adequate notice of a no maintenance section line has been given to the motoring public.